

Our Ref.: 060850.P002

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

**As a below named inventor, I hereby declare that:**

**My residence, post office address and citizenship are as stated below, next to my name**

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## NOZZLE

the specification of which

X is attached hereto.  
was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)

I hereby appoint BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, a firm including: Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39,926; Kent M. Chen, Reg. No. 39,630; Lawrence M. Cho, Reg. No. 39,942; Thomas M. Coester, Reg. No. 39,637; Roland B. Cortes, Reg. No. 39,152; William Donald Davis, Reg. No. 38,428; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Tarek N. Fahmi, Reg. No. P41,402; James Y. Go, Reg. No. 40,621; Sharmini Nathan Green, Reg. No. 41,410; Reg. No. 40,621; David R. Halvorson, Reg. No. 33,395; Eric Ho, Reg. No. 39,711; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; Dag H. Johansen, Reg. No. 36,172; Stephen L. King, Reg. No. 19,180; Michael J. Mallie, Reg. No. 36,591; Kimberley G. Nobles, Reg. No. 38,255; Ronald W. Reagin, Reg. No. 20,340; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Charles E. Shewell, Reg. No. 40,171; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Allan T. Sponseller, Reg. No. 38,318; Steven R. Sponseller, Reg. No. 39,384; Judith A. Szepesi, Reg. No. 39,393; Edwin H. Taylor, Reg. No. 25,129; George G. C. Tseng, Reg. No. 41,355; Lester J. Vincent, Reg. No. 31,460; John Patrick Ward, Reg. No. 40,216; Ben J. Yorks, Reg. No. 33,609; and Norman Zafman, Reg. No. 26,250; my attorneys; and Robert Andrew Diehl, Reg. No. P40,992; Thomas A. Hassing, Reg. No. 36,159; and Edwin A. Sloane, Reg. No. 34,728; my patent agents, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First/Sole Inventor Michael J. Thermos  
 Inventor's Signature Michael J. Thermos Date NOV 20, 1997  
 Residence Huntington Beach, California Citizenship U.S.A.  
 (City, State) (Country)  
 Post Office Address 16871 Bolero  
Huntington Beach, California 92649

APPLICANT OR PATENTEE: MICHAEL J. THERMOS OUR REF NO: D60850.P002  
SERIAL OR PATENT NO.: \_\_\_\_\_ FILED/ISSUE DATE: \_\_\_\_\_  
FOR: NOZZLE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) AND 1.27(b) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled \_\_\_\_\_

described in \_\_\_\_\_

- THE SPECIFICATION FILED HEREWITH.  
 APPLICATION SERIAL NO.: \_\_\_\_\_, FILED: \_\_\_\_\_  
 PATENT NO.: \_\_\_\_\_, ISSUED: \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- NO SUCH PERSON, CONCERN, OR ORGANIZATION  
 PERSONS, CONCERNS, OR ORGANIZATIONS LISTED BELOW.\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention apecting to their status as small entities. (37 CFR 1.27)

NAME: NITROUS OXIDE SYSTEMS, INC.

ADDRESS: 5930 LAKESHORE DRIVE, CYPRESS, CALIFORNIA

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false

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TROUS OXIDE SYSTEMS

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statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

MICHAEL J. THERMOS

Michael J. Thermos  
SIGNATURE OF INVENTOR

Nov 20, 1997

DATE

Applicant or Patentee: Michael L Thermos  
 Serial or Patent No.: \_\_\_\_\_  
 Filed or Issued: \_\_\_\_\_  
 For: NOZZLE

Attorney's Docket No.: 060850.P002

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 37 CFR 1.9(P) AND 1.27(C) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- [ XXX ] the owner of the small business concern identified below;  
 [        ] an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF CONCERN: NITROUS OXIDE SYSTEMS, INC.

ADDRESS OF CONCERN: 5930 LAKESHORE DRIVE,  
 CYPRESS CALIFORNIA 90630

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

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by inventor(s): \_\_\_\_\_  
 described in:

- [ XXX ] the specification filed herewith  
 [        ] application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 [        ] patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\*, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 [        ] Individual [        ] Small Business Concern [        ] Non Profit Organization

NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 [        ] Individual [        ] Small Business Concern [        ] Non Profit Organization

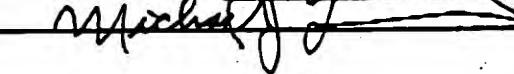
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: MICHAEL L THERMOS

TITLE OF PERSON OTHER THAN OWNER: PRESIDENT

ADDRESS OF PERSON SIGNING: 5939 LAKESHORE DRIVE, CYPRESS CALIFORNIA 90630

SIGNATURE:  DATE: 11-20-97